

Paper No. 1700
Disposes of
Paper No. 1690

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al) ORDER
) GRANTING APPLICATION TO
) WITHDRAW EXHIBITS
) NOS. 2647 AND 3553
) FOR IDENTIFICATION ONLY
) FROM THE FILES OF
ARAKI, Sadao, et al) THE TRIBUNAL

This matter coming on to be heard this 30th day of April, 1948, before the Honorable Sir William Webb, President of the Tribunal, upon the application of George A. Furness, counsel for the Accused SHIGEMITSU, Mamoru, for leave to withdraw from the files of the Tribunal certain documents, to wit: Exhibit No. 2647 for Identification Only which was borrowed by Defense Counsel from the Japanese Foreign Office, and Exhibit No. 3553 for Identification Only which was borrowed by Defense Counsel from a private owner, both of which documents are fully described in the application which is Paper No. 1690, for the purpose of returning same to the sources from which they were obtained, and the Tribunal having heard the statements and arguments of counsel for the Defense, and the Prosecution having interposed no objection thereto, and

It appearing to the Tribunal that Exhibits Nos. 2647 and 3553 were offered and marked for Identification Only and have served their purpose, and that no substantial injustice will result to either the Prosecution, the Accused, or any of them, by the withdrawal of said documents and the return thereof to the sources from which they were obtained; and

It further appearing to the Tribunal that an excerpt from said Exhibit No. 2647 for Identification Only was offered and admitted in evidence as Exhibit No. 2647-A. it is

ORDERED: That said application for the withdrawal of Exhibits No. 2647 for Identification Only and No. 3553 for Identification Only be and it hereby is granted, and that said Exhibits No. 2647 for Identification Only and No. 3553 for Identification Only be withdrawn from the files of the Tribunal forthwith and delivered by the Clerk of the Tribunal to George A. Furness, counsel for the Accused SHIGEMITSU, to be returned by him to the sources from which they were obtained, upon the express term and condition, however, that said documents be returned to the Clerk of the Tribunal immediately upon notice being given that they are required by the Tribunal, the Prosecution or the Defense for the purposes of this trial; and it is further

ORDERED: That Exhibit No. 2647-A which has been admitted and is in evidence in this case shall remain in the files of the Tribunal and its status shall in no way be affected by this order.

BY THE TRIBUNAL:

(signed) W. F. WEBB.
PRESIDENT